

EXHIBIT A

In The Matter Of:
Allan Chiocca vs.
The Town of Rockland, et al.

Edward F. Kimball, Jr.
Vol. I
September 8, 2021



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Min-U-Script® with Word Index

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1 telling Larry Ryan that you were having an affair
2 with Deirdre Hall?
3 **A. I do.**
4 Q. When did you have that conversation?
5 **A. That conversation was probably sometime in**
6 **mid-June.**
7 Q. 2018, obviously?
8 **A. Uh-huh.**
9 Q. Do you remember why that -- why you decided
10 to have that conversation with Larry Ryan at that
11 point?
12 **A. I was advised to do that by town counsel,**
13 **John Clifford, at the time.**
14 Q. Okay. Any other reason?
15 **A. That was it specifically.**
16 Q. And can you describe that conversation for
17 me.
18 **MR. CROTTY:** The conversation with him and
19 Larry Ryan, you're saying?
20 **MS. HALEM:** Yes, exactly. Not Clifford,
21 yes. Thank you.
22 **A. I had -- I believe I went to Mr. Ryan's**
23 **home, spoke with him in the presence of my wife, and**
24 **I told him that, you know, I had had an affair with**

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1 **Ms. Hall, but it was over.**
2 Q. And what did he say back? Tell me what you
3 remember about the conversation.
4 **MS. ZUCKER:** Objection.
5 **A. He really didn't say much, much that I**
6 **remember.**
7 Q. Do you remember how long the conversation
8 was?
9 **A. It was short. It doesn't take long to**
10 **say -- to say what I said.**
11 Q. Was he upset with you?
12 **MS. ZUCKER:** Objection.
13 **A. I don't think he was upset with me. Not at**
14 **that point in time.**
15 Q. Not at that point.
16 Was there anyone else present other than
17 your wife and Mr. Ryan?
18 **A. I don't believe so.**
19 **He hopped in my car. I pulled into his**
20 **driveway, and he hopped in my car. And I said my**
21 **piece, and he hopped back out, went in the house.**
22 Q. Oh, so you were sitting in his driveway in
23 your car with your wife in the car as well?
24 **A. My wife was in the car. I told you that**

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1 **earlier. Actually, I told you with my wife. I**
2 **didn't say in the car.**
3 Q. I assumed you went in the house.
4 **A. So you asked me where.**
5 Q. Okay. And do you recall when you told
6 Mr. O'Loughlin?
7 **A. I think it may have been via phone call. I**
8 **don't think it was in person.**
9 **Probably around the same -- I think the**
10 **same time frame, around the same time. Again, I was**
11 **advised by town counsel to communicate that to my**
12 **board members, so I did.**
13 Q. Okay. Did you have an understanding as to
14 why you were -- not from Clifford.
15 Did you understand why it was important for
16 you to disclose your romantic relationship with
17 Deirdre Hall?
18 **A. No. And I still don't.**
19 Q. You didn't think they had any right to
20 know?
21 **A. No. I think it was a private matter**
22 **between me and Ms. Hall.**
23 Q. Did you also --
24 **A. I don't think any --**

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1 **MR. COOPER:** Let him finish, please.
2 **A. I don't think anybody had a right to know.**
3 Q. I already said I was sorry for that. It's
4 really hard sometimes also to see when someone's
5 done.
6 **A. Uh-huh.**
7 Q. When -- did you also tell Mr. Mullen around
8 the same time, middle of June?
9 **A. As I answered earlier, I believe I talked**
10 **to all the board members around the same time.**
11 Q. Did any -- go ahead. I'm sorry.
12 **A. That was at the advice of town counsel.**
13 Q. Do you remember, in your conversation with
14 Mr. O'Loughlin, if anyone else was present? Was
15 your wife present?
16 **A. I don't believe so.**
17 Q. You believe you did it on the phone?
18 **A. Yes. I think so. I'm pretty sure I did.**
19 Q. Do you know --
20 **A. I may have done it in person. It's**
21 **really -- it's not sticking out to my mind because**
22 **it wasn't -- it wasn't this -- this, like -- you**
23 **know, I guess -- I guess it was just me telling them**
24 **that I had an affair, and it was over, and that was**

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1 it.

2 Q. Do you remember what Mr. O'Loughlin said in

3 response?

4 A. No, not specifically.

5 Q. Do you remember if he was upset with you?

6 MS. ZUCKER: Objection, asked and answered.

7 A. I don't think anybody was upset with me

8 when I told them that. At the time I don't think

9 anyone showed that.

10 Q. When you say "anyone" --

11 A. Anybody I told, whether it was Mr. Mullen,

12 Mr. O'Loughlin or Mr. Ryan.

13 Q. Is there --

14 MR. CROTTY: Can we take five whenever you

15 get to a good spot?

16 MS. HALEM: Yeah. Just give me, like, less

17 than five minutes.

18 MR. CROTTY: No problem.

19 BY MS. HALEM:

20 Q. Mr. Kimball, do you remember anyone else

21 who, during that time period, around the middle of

22 June, that you gave this information to?

23 A. I think after that, I think I may have

24 phoned land counsel and had asked him --

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1 MR. COOPER: No, no. Nope. Nope.

2 A. Okay. So Howard's telling me "no" to --

3 Q. Anyone else other than counsel?

4 A. No.

5 Q. And do you remember if, during this same

6 time period, if there were other people who had

7 questioned you about whether you were having an

8 affair with -- with Deirdre Hall?

9 MS. ZUCKER: Objection.

10 A. I don't think anyone specifically

11 questioned me, no.

12 Q. Do you remember if you asked Mr. Mullen,

13 Mr. O'Loughlin or Mr. Ryan if they would sign a

14 nondisclosure agreement or anything to keep that

15 information private?

16 A. I didn't -- I didn't ask anything about a

17 nondisclosure agreement.

18 Q. Did you ask them to keep the information

19 private?

20 A. Did I ask?

21 Q. Yes.

22 A. No. The answer to that is no, I did not.

23 MS. HALEM: We can go take a five-minute

24 break now.

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1 MR. CROTTY: Okay.

2 (Recess taken)

3 BY MS. HALEM:

4 Q. Thank you everyone.

5 Mr. Kimball, did your wife set any

6 parameters around the relationship, how you

7 communicated with Deirdre Hall after she found out

8 about the affair?

9 MR. COOPER: Do not answer that if it

10 involves oral communications with your wife.

11 A. I'm instructed not to answer.

12 Q. Was there ever any written documentation of

13 those, of the parameters between your communications

14 with Deirdre Hall and -- between you and Deirdre

15 Hall?

16 MS. ZUCKER: Objection, again this treads

17 over a line of what was not allowed by the court.

18 MR. COOPER: I agree. I object.

19 A. Do you want me to answer?

20 Q. Yes.

21 MR. COOPER: Was there any written

22 parameters?

23 A. No.

24 MS. HALEM: Can I -- I'm going to mark this

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1 as Exhibit 1. It's going to be in the chat box.

2 Alex, can you mark that for me?

3 (Document marked as Kimball

4 Exhibit 1 for identification)

5 MR. COOPER: You're going to have to put it

6 on the screen. I don't have any way to put it up on

7 the chat box. I have it on a large-screen TV.

8 MR. SHAFRAN: You're in Zoom right now.

9 Someone has the ability to click it.

10 THE REPORTER: Shall we go off the record

11 to square this out?

12 MS. HALEM: Sure.

13 MR. SHAFRAN: Yes. Yes.

14 (Discussion off the record)

15 MR. COOPER: Okay. We just need to see all

16 the pages of it, so if you could scroll.

17 MR. SHAFRAN: Yes.

18 Do you want to read it? I'm starting on

19 Page 1.

20 MR. COOPER: Yep.

21 MR. SHAFRAN: Can you see it?

22 THE WITNESS: I can see it.

23 MR. SHAFRAN: Okay.

24 MR. COOPER: The bottom third is blocked.

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1 mean...

2 Q. It's a quandary, right?

3 A. What's that?

4 Q. It's a quandary?

5 MR. COOPER: Objection.

6 MS. ZUCKER: Objection.

7 A. You asked me what I would do when I said

8 that. I don't know what I would do in that

9 situation. I wasn't in that situation.

10 Q. Who could he have reported it to?

11 A. What's that? Who could he have reported it

12 to?

13 Q. If he thought it was a conflict.

14 A. What's to report?

15 Q. If he thought it was a conflict, who could

16 he report it to?

17 MS. ZUCKER: Objection.

18 A. I assume he could approach town counsel.

19 Q. Okay.

20 A. Maybe that's a question for Mr. Clifford.

21 Q. So he should have gone to Mr. Clifford

22 about your affair?

23 MS. ZUCKER: Objection.

24 MR. COOPER: Objection.

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1 That's not what he said.

2 A. You asked me a question who he could report

3 to, and I said possibly town counsel, John Clifford.

4 Q. When did you tell Mr. Clifford that you had

5 had an affair with Deirdre Hall? If you did.

6 A. When did I tell Mr. Clifford?

7 Q. Yes.

8 A. I believe Mr. Clifford was told after my

9 first interview with Ms. Ryan. When Ms. Ryan asked

10 me about it, I responded to Ms. Ryan that -- she

11 asked me the question, and I responded yes, I did.

12 Q. Do you remember when your first interview

13 with Ms. Ryan was?

14 A. I believe it was somewhere maybe around

15 June 12th, June 13th, maybe, somewhere in that time

16 frame.

17 Q. Okay. So what did Ms. Ryan tell you to

18 tell Mr. Clifford?

19 A. What's that?

20 Q. Why did you decide to tell Mr. Clifford

21 that day --

22 A. Why did I tell Mr. Clifford that day?

23 I think Mr. Clifford --

24 MR. COOPER: Let him finish please.

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1 Q. I was correcting my question.

2 A. Okay. Please state your question again

3 then, Samantha.

4 Q. Did you tell Mr. Clifford that you had had

5 an affair with Deirdre Hall?

6 A. Yes.

7 Q. And what -- and why did you decide to do it

8 at that time?

9 A. Why did I decide?

10 Because I've answered the question from

11 Regina Ryan. She asked about it.

12 Q. Okay.

13 A. I was a little shocked she asked me about

14 that, but I answered.

15 Q. Why were you shocked she asked you about

16 it?

17 A. Because not only did she ask me about the

18 affair, but she wanted to ask me in detail what my

19 sexual preferences were and what type of sex I had

20 with Ms. Hall, which I thought was, like, way off

21 the charts for any of this stuff, to be honest with

22 you. I was, like, "What's that have to do with what

23 happened?" It makes no sense to me.

24 Q. Let's stick to --

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1 A. You just asked me, and I just told you.

2 Q. I -- I agree. I'm just trying to get --

3 like sort of focus so we don't have to be here all

4 day and tomorrow all day.

5 A. We're here till 5:00. I'm here all day.

6 I'm committed here.

7 Q. I'm trying to get us out, though, as

8 quickly as I can.

9 So on the day you spoke to Regina Ryan --

10 A. Uh-huh.

11 Q. -- that's the first time you knew that

12 Regina Ryan knew that there was a sexual

13 relationship between you and Ms. Hall, correct?

14 MR. COOPER: Objection.

15 A. I don't know that. You would have to ask

16 Regina Ryan that.

17 Q. Okay. But she --

18 A. You asked me when I disclosed it to

19 Mr. Clifford, and I believe it was after my meeting

20 with Regina Ryan.

21 Although, you know, me looking back at all

22 this stuff these last few years, I would say

23 probably say that Mr. Clifford knew prior to that.

24 Q. Why do say that?